

"1/30 Grains" averaged not more than 0.0272 grain and 0.0277 grain of strychnine sulphate to each tablet, the strychnine sulphate tablets labeled "1/60 Grains" averaged not more than 0.0096 grain of strychnine sulphate each; the codeine sulphate tablets, labeled "1/4 Grain," averaged not more than 0.172 grain of codeine sulphate each; the two lots of nitroglycerin tablets, labeled "1/100 Grains," averaged not more than 0.00571 grain and 0.00437 grain of nitroglycerin to each tablet; the acetphenetidin tablets, labeled "2 Grains," averaged not more than 1.797 grains of acetphenetidin each; the heroin tablets, labeled "1/12 Grains," averaged not more than 0.0713 grain of heroin each; and the quinine sulphate tablets, labeled "2 Grains," averaged not more than 1.779 grains of quinine sulphate each.

Adulteration of the articles was alleged in substance in the information for the reason that their strength and purity fell below the professed standard and quality under which they were sold, in that the said anodyne tablets contained less codeine than declared on the label, the quinine sulphate tablets, strychnine sulphate tablets, codeine sulphate tablets, nitroglycerin tablets, heroin tablets, and one consignment of morphine sulphate tablets contained less of the respective products than declared on the labels, and two of the consignments of morphine sulphate tablets contained more morphine sulphate than declared.

Misbranding was alleged in substance for the reason that the statements, to wit, "Tablets * * * Codeine 1-96 gr.," "Strychnine Sulphate Each tablet represents 1/30 Grains," "Tablets Morphine Sulphate 1-8 gr.," "Tablets Each Tablet Represents Morphine Sulphate 1/4 Grain," "Tablets Codeine Sulphate 1/4 Grain," "Tablets Strychnine Sulphate Each tablet represents 1/30 Grains," "Tablets Nitroglycerin Each tablet represents 1/100 Grains," "Tablets Acetphenetidin 2 Grains," "Tablets Heroin Each tablet represents 1/12 Grains," "Tablets Quinine Sulphate Each tablet represents 2 Grains," and "Tablets * * * Strychnine Sulphate Each tablet represents 1/60 Grains," borne on the labels attached to the bottles containing the respective products, were false and misleading, in that the said statements represented that the anodyne tablets contained 1/96 grain of codeine and that the remaining tablets contained the amounts of the respective products declared on the labels, whereas the said anodyne tablets contained less than 1/96 grain of codeine, the quinine sulphate tablets, strychnine sulphate tablets, codeine sulphate tablets, nitroglycerin tablets, heroin tablets, and the alleged 1/4 grain morphine sulphate tablets contained less of the respective products than declared on the labels, and the alleged 1/8 grain morphine sulphate tablets contained more than 1/8 grain of morphine sulphate each.

On July 11, 1925, a plea of guilty to the information was entered on behalf of the defendant company, and the court imposed a fine of \$200.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

13609. Adulteration and misbranding of mineral water. U. S. v. William Clinton Stamper (Wizard Wells Co.). Plea of guilty. Fine, \$25.
(F. & D. No. 12104. I. S. 6775-x.)

On July 23, 1921, the United States attorney for the Northern District of Texas, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against William Clinton Stamper, trading as Wizard Wells Co., Wizard Wells, Tex., alleging shipment by said defendant, in violation of the food and drugs act as amended, on or about June 23, 1919, from the State of Texas into the State of Louisiana, of a quantity of mineral water which was adulterated and misbranded. The article was labeled in part: (Bottle) "Wizard Mineral Water * * * Wizard Wells Company W. C. Stamper, Manager Wizard Wells, Texas."

Examination of a sample of the article by the Bureau of Chemistry of this department showed that it was polluted.

Adulteration of the article was alleged in the information for the reason that it consisted in whole or in part of a filthy and decomposed animal or vegetable substance.

Misbranding was alleged for the reason that certain statements, designs, and devices regarding the therapeutic and curative effects of the article, borne on the labels of the bottles containing the said article, falsely and fraudulently represented it to be effective as a treatment, remedy, and cure for rheumatism, stomach troubles, kidney diseases, bladder disorders, eczema, sciatica, nervousness, female diseases, gout, erysipelas, and all blood diseases, when, in truth and in fact, it was not.

On March 11, 1925, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

13610. Adulteration and misbranding of grape concentrate. U. S. v. 3 Cases of Grape Concentrate. Default decree, adjudging product to be adulterated and misbranded and ordering its destruction. (F. & D. No. 20073. I. S. No. 14460-v. S. No. W-1655.)

On May 21, 1925, the United States attorney for the Southern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying the seizure and condemnation of 3 cases of grape concentrate, shipped by the Pacific Coast Distributing Co., from Los Angeles, Calif., to Portland, Oreg., and returned to the shipper and remaining in the original unbroken packages at Los Angeles, Calif., alleging that the article had been shipped from Portland, Oreg., on or about May 14, 1925, and transported from the State of Oregon into the State of California, and charging adulteration and misbranding in violation of the food and drugs act as amended.

Adulteration of the article was alleged in the libel for the reason that an imitation grape sirup had been mixed and packed therewith so as to reduce, lower, or injuriously affect its quality and strength and had been substituted wholly or in part for the said article. Adulteration was alleged for the further reason that the article had been colored in a manner whereby its inferiority was concealed.

Misbranding was alleged in substance for the reason that the labels on the bottles containing the article bore the statements, to wit, "Concordine Concentrate * * * is true Grape and the only Grape concentrate ever manufactured and put before the public of which it can be safely said that it is made From Grapes Tastes Like Grapes and Looks Like Grapes," and a picture showing bunches of grapes, which were false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was an imitation of and was offered for sale under the distinctive name of another article, and for the further reason that it was food in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On June 13, 1925, no claimant having appeared for the property, a decree of the court was entered, adjudging the product to be adulterated and misbranded and ordering its destruction by the United States marshal.

R. W. DUNLAP, *Acting Secretary of Agriculture.*

13611. Adulteration and misbranding of apple jelly. U. S. v. Old Virginia Orchard Co., Inc. Plea of guilty. Fine, \$50 and costs. (F. & D. No. 18730. I. S. Nos. 3439-v, 3441-v.)

On July 14, 1924, the United States attorney for the Western District of Virginia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district an information against the Old Virginia Orchard Co., Inc., Front Royal, Va., alleging shipment by said company, in violation of the food and drugs act as amended, on or about June 29, 1922, from the State of Virginia into the State of South Carolina, and on or about March 27, 1923, from the State of Virginia into the State of North Carolina, of quantities of apple jelly which was adulterated and misbranded. The article was labeled in part: (Jar) "Maiden Blush Brand * * * Pure Apple Jelly Old Virginia Orchard Co. Inc. Front Royal, Va. U. S. A. Net Weight 6½ Oz."

Analyses of samples of the article by the Bureau of Chemistry of this department showed that it was a pectin jelly containing added phosphoric acid and the average net weight of 12 jars was 5.87 ounces.

Adulteration of the article was alleged in the information for the reason that a product composed in part of pectin jelly and containing added phosphoric acid had been substituted for pure apple jelly, which the said article purported to be.

Misbranding was alleged for the reason that the statements, to wit, "Maiden Blush Brand Pure Apple Jelly," "Made Where The Fresh Fruits Grow," "Net Weight 6½ Oz.," together with a design showing primitive jelly manufacturing plant, basket containing apples, and section of orchard, borne on the jars containing the article, were false and misleading, in that the said statements and design represented that the article consisted wholly of pure apple jelly and